

## **APPENDIX F**

### **BROWNFIELDS INVENTORY, ASSESSMENT, AND REMEDiation SUPPLEMENTAL ENVIRONMENTAL PROJECT**

Unidynamics-Phoenix, Inc. and Crane Co. (collectively, “Settling Defendants”) shall satisfactorily complete implementation of the Brownfields Inventory, Assessment, and Remediation supplemental environmental project (“Brownfields SEP”) within the City of Goodyear, Arizona (“City”), described in this Appendix F in accordance with the requirements set forth in Section XVII of the Consent Decree and this Appendix F and consistent with EPA’s *Final Supplemental Environmental Projects Policy* (April 1998) and EPA’s *Guidance Using SEPs to Facilitate Brownfields Redevelopment* (September 1998). The parties recognize that Settling Defendants intend to contract with the City, consistent with the applicable paragraphs of the Consent Decree and subject to EPA approval, for the performance of services related to implementation of the Brownfields SEP.

#### **Purpose:**

The City of Goodyear is a rapidly growing municipality with a current population of over 35,000 residents. The City has experienced a 105% population increase since 1995 alone. The City is interested in promoting sustainable development within its borders, including careful infill development (development within the existing, built Goodyear community) that provides opportunities for residential, recreational, and industrial land to coexist. Infill development also helps to prevent potential sprawl that is prevalent within the metropolitan Phoenix area. Creating a vibrant and healthy community is dependent on the inventory and assessment of brownfields properties, defined as sites that are abandoned, idled, or under-used where expansion or redevelopment is complicated by real or perceived contamination. The City has assembled a Brownfields Inventory, Assessment, and Remediation Plan (“Brownfields Plan”) to provide a framework for the inventory, assessment, and remediation of certain of these sites.

The Brownfields SEP is intended to substantially advance brownfields redevelopment in the City through funding and implementation of inventory, assessment and remediation activities at various properties within the City. Specifically, the Brownfields SEP establishes a goal of completion of an inventory and Phase 1 Assessments of up to 25 possible brownfields sites in the City, completion of Phase 2 Assessments for four of those sites, and remediation of three of those sites.

#### **Environmental and Community Benefits:**

Redevelopment of brownfields sites will help the City to maximize infill development with the accompanying benefits of rejuvenating neighborhoods, reducing blight, and mitigating threats to human health and the environment. Abandoned sites can be transformed into productive commercial and industrial properties, vibrant recreation

areas, residential use or other needed amenities. The Brownfields SEP is expected to provide the City with three remediated sites that can be used for residential or other development. In addition, the brownfields inventory will also generate greater interest in investing in the community and better chances for success of the City's overall brownfields program. The City expects that most of the sites identified through this project will be in the Historic Goodyear area. This will potentially increase the City's ability to attract the development of infill housing, which will work toward the City's long-range goal to address brownfields properties while avoiding the creation of new brownfields.

**Project Criteria:**

Settling Defendants shall ensure, through their SEP Agreement with the City or otherwise, that the following criteria are met during implementation of the Brownfields SEP:

**Stage 1: Site Inventory and Phase 1 Assessments**

Stage 1 of the Brownfields SEP will include an inventory and initial assessment of up to 25 of the City's brownfields sites. Stage 1 activities will be contracted to and managed by a professional environmental engineering firm with experience in brownfields programs.

The Stage 1 inventory shall be based on a comprehensive review of potential brownfields sites in the City and thorough research of Arizona agencies and property ownership records with the assistance of the City's Planning Department. During the Stage 1 inventory process, existing city documents and plans, including the General Plan, the Employment Corridor Study, the Zoning Ordinance and the Redevelopment Plan, will be consulted.

Each Phase 1 Assessment will follow current ASTM Phase 1 E1527 standards or EPA's All Appropriate Inquiries Rule until November 1, 2006, after which time the Phase 1 Assessments will meet EPA's All Appropriate Inquiries Rule.

All phases of the Brownfields SEP will incorporate public participation to allow those most affected by the SEP to comment and provide input on the selected sites. Thus, Stage 1 will include the development of brochures, handouts and on-line information, public meetings, and media outreach. The City will also utilize its Brownfields Advisory Committee<sup>1</sup> to provide input regarding next steps within the Brownfields SEP. Information from Stage 1, including public input, will assist the City to prioritize plans and goals to focus on brownfield sites to be further investigated in Stage 2.

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<sup>1</sup> In anticipation of conducting brownfields projects, in November 2003 the City established a Brownfields Advisory Committee comprised of local residents, land developers, land owners, and business leaders. The Brownfields Advisory Committee will be used as a resource for this project.

The estimated contractual cost for identification and listing of approximately 25 properties for Stage 1 Site Inventory and Phase 1 Assessment is \$100,000. The City will take financial responsibility for educating its staff and conducting outreach for public input into the brownfields process, and such costs will not be considered Eligible SEP Costs for purposes of the Consent Decree.

### **Stage 2: Phase 2 Assessments**

Stage 2 of the Brownfields SEP contemplates selection of at least four potentially contaminated sites from the inventory produced in Stage 1 to undergo Phase 2 assessments. Sites will be selected for Phase 2 Assessment utilizing the following criteria: location, redevelopment potential, estimated cost to clean up the site, and the potential value to the community. The selection process shall include input from the Stage 1 contractor, the City, the Brownfields Advisory Committee, and residents representing downtown and employment corridor stakeholders, along with environmental and health professionals. Sites selected for Phase 2 Assessment shall not have any known viable responsible party who would be responsible for addressing the contamination under state or federal law.

Should any privately-owned property be selected to undergo Phase 2 Assessment, the property owners will be educated about the assessment process through one-on-one meetings and will be required to sign access authorizations permitting the City and its consultants to conduct testing on the property as a component of the Phase 2 Assessment. In an effort to keep the public informed and involved in the process, sampling and testing results will be made publicly available within a reasonable time of obtaining and compiling the final results.

Each Phase 2 Assessment shall follow ASTM guidelines.

The estimated cost of each Phase 2 Assessment is \$50,000. Assuming that four sites are selected for Phase 2 Assessments, the estimated cost of Stage 2 activities is \$200,000.

### **Stage 3: Site Remediation**

Stage 3 of the Brownfields SEP contemplates selection for complete remediation of at least three contaminated properties that have undergone Phase 2 Assessments in Stage 2. Sites will be selected for remediation utilizing the following criteria: location, redevelopment potential, estimated cost to clean up the site, and the potential value to the community; and criteria already established by the Environmental Resources Department, state regulations, recommendations, the City Center Master Plan, the Employment Corridor Study, Zoning Ordinances, and the Redevelopment Plan. The selection process shall include input from the City and its consultant, the Brownfields Advisory Committee, and residents representing downtown and employment corridor stakeholders,

along with environmental and health professionals. Sites selected for remediation shall not have any known viable responsible party who would be responsible for addressing the contamination under state or federal law.

Remediation of the selected sites shall be performed in accordance with all applicable local, state, and federal laws and regulations. Remediation of a site will be considered complete when the site is confirmed through sampling to meet residential standards and a No Further Action determination is issued from the Arizona Department of Environmental Quality (“ADEQ”).

No less than \$650,000 shall be expended on Stage 3 – remediation of brownfields sites -- of the Brownfields SEP. Any additional funds remaining after completion of remediation of three sites shall be used for remediation of additional sites selected using the criteria identified above.

In the event that one or more of the three sites identified for remediation cannot be fully remediated for \$650,000, partial remediation of a site may be performed. However, Settling Defendants shall ensure, including through expenditure of additional funds as necessary, that no site is partially remediated in such a way that the threat to human health and the environment is greater than when the remediation was initiated.

**Total SEP Cost:**

In performing the Brownfields SEP, Settling Defendants shall expend \$1,000,000 in Eligible SEP Costs consistent with the allocation set forth above under Project Criteria. Settling Defendants shall not be required to expend more than \$1,000,000, except in the event (described above in Project Criteria: Stage 3) that additional expenditures are necessary to ensure that any partial remediation of a brownfields site does not create a threat to human health and the environment that is greater than when the remediation was initiated.

For purposes of the Brownfield SEP, internal costs incurred by the City on project administration (including internal contract procurement costs) and public outreach shall not be considered Eligible SEP Costs under the Consent Decree.

**Project Schedule:**

Settling Defendants shall ensure completion of this SEP by no later than three years after the Effective Date of the Consent Decree.